

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

July 15, 2025

US TECH WORKERS ET AL.,)	
Complainant,)	
v.)	8 U.S.C. § 1324b Proceeding
)	OCAHO Case No. 2024B00101
REVEAL DATA CORPORATION,)	
Respondent.)	
)	

Appearances: John M. Miano, Esq., for Complainant
Stephen H. Smalley, Esq., Vanessa N. Garrido, Esq., and Stephanie C. Generotti, Esq., for Respondent

ORDER OF INQUIRY

This case arises under the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324b. Complainant, US Tech Workers, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) on April 23, 2024. Complainant alleges that Respondent, Reveal Data Corporation, discriminated on the basis of citizenship, in violation of 8 U.S.C. § 1324b. Respondent filed its Answer and Affirmative Defenses on June 4, 2024.

Pending before the Court is Complainant's Motion for Leave to File an Amended Complaint filed on November 12, 2024, along with the proposed First Amended Complaint as well as Respondent's Motion to Dismiss filed on December 5, 2024.

In the original Complaint, Complainant named US Tech Workers as the Complainant, and indicated that the named members were listed in an attachment. That attachment names nine individuals as US Tech Workers. Compl. 1, 31. The attachment also names US Tech Workers and these same individuals as injured parties, and includes an allegation that one individual (X.W.) applied and was not hired for a position at Respondent company. Compl. 22-23. In the First Amended Complaint (FAC), Complainant amends the caption to include all the names previously listed as members of US Tech Workers, and then lists the nine individuals as individual complainants and members of the US Tech Workers. Mot. Amend, FAC 1-12. It includes allegations that all nine individuals applied to other companies and were not hired, and again alleges that X.W. applied to Respondent and was not hired. Mot. Amend, FAC 24-31.

The Court observes that in other, similar cases, Complainant has filed a Motion to Recaption Complaint, seeking to remove one complainant from the case caption who no longer wishes to participate in the action, and to strike paragraphs of the Complaint pertaining to that individual. *See U.S. Tech Workers v. Gensler*, 21 OCAHO no. 1636b, 1-2 (2025).¹ Complainant has not filed a similar motion in this case. Complainant should address whether this individual continues to be a part of this case.

Complainant may file its response to this Order of Inquiry by July 28, 2025. If Respondent would like to file a reply, it may do so by August 11, 2025.

SO ORDERED.

Dated and entered on July 15, 2025.

Honorable Jean C. King
Chief Administrative Law Judge

¹ Citations to OCAHO precedents in bound volumes one through eight include the volume and case number of the particular decision followed by the specific page in the bound volume where the decision begins; the pinpoint citations which follow are to the pages, seriatim, of the specific entire volume. Pinpoint citations to OCAHO precedents after volume eight, where the decision has not yet been reprinted in a bound volume, are to pages within the original issuances; the beginning page number of an unbound case will always be 1 and is accordingly omitted from the citation. Published decisions may be accessed through the Westlaw database “FIM OCAHO,” the LexisNexis database “OCAHO,” and on the United States Department of Justice’s website: <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.